

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**BEN B. SCHWARTZ & SONS., INC., a
Michigan corporation,**

**Plaintiff,
v.**

**PRODUCE TECH GIANTS, LLC, a New
York limited liability company, and
EDGAR BURGOS, an individual,**

Defendants.

Case No. 1:20-CV-08798

JUDGMENT

This Court is presented with the Stipulation for Judgment submitted by Plaintiff, Ben B. Schwartz & Sons, Inc., a Michigan corporation (“Schwartz & Sons”) and Defendants, Produce Tech Giants, LLC, a New York limited liability company (“Produce Tech Giants”) and Edgar Burgos (“Burgos”). The Court having reviewed the Stipulation and being otherwise fully advised in the premises, it is,

ORDERED, that Schwartz & Sons is a perfected trust beneficiary of Produce Tech Giants, whose principal place of business is located at 425 Western Highway, Orangetown, NY 10983, under Section 5(c) of the Perishable Agricultural Commodities Act of 1930, as amended, 7 U.S.C. §499e(c) (“PACA”), in the amount of \$106,504.60 plus post-judgment interest at the contract rate of 18% per year, from the date of entry of judgment until paid in full.

ORDERED, that Judgment is entered in favor of Ben B. Schwartz & Sons, Inc. and against Produce Tech Giants, LLC and Edgar Burgos, jointly and severally, in the amount of \$106,504.60, plus post-judgment interest at the contract rate of 18% per year, from the date of entry of judgment until paid in full, for which let execution issue.

ORDERED that Bank of America, N.A. is hereby ordered and directed to disburse the sum of \$53,305.00, within two business days, from Produce Tech Giants account ending in 1755, as identified in Bank of America, N.A.'s October 26, 2020, letter issued to counsel for Schwartz & Sons, to Plaintiff, Ben B. Schwartz & Sons, Inc., and transmit those funds by wire or ACH, to Schwartz & Sons' account, to be provided to Bank of America, N.A.

ORDERED no later than one business day after Bank of America, N.A.'s payment to Schwartz & Sons, counsel for Plaintiff will notify the Court of the payment, requesting an order dissolving the Court's Temporary Restraining Order.

ORDERED, that the Court retains jurisdiction to enforce the terms of the Settlement Agreement executed by the parties contemporaneously with their Stipulation for Judgment.

IT IS SO ORDERED.

Dated: November 2, 2020



Honorable Edgardo Ramos
United States District Court
Southern District of New York